

## **MINUTES**

### **MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Edward Buttrey, on March 12, 2015 at 8:00 AM, in Room 422  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Elsie Arntzen, Vice Chair (R)  
Sen. Dee Brown (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Sharon Stewart-Peregoy (D) (arrived after roll call)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)  
Sen. Lea Whitford (D) (arrived after roll call)

**Members Excused:** Sen. Cary Smith (R)

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 115, 2/25/2015; HB 118, 2/25/2015; HB 343, 2/25/2015;  
HB 350, 3/9/2015

Executive Action: HB 208, HB 358, HB 396, HB 449

**HEARING ON HB 115**

**Opening Statement by Sponsor:**

00:01:55 Rep. Moffie Funk (D), HD 82, opened the hearing on HB 115. Generally revise board of nursing laws.

[EXHIBIT\(bus51a01\)](#)

**Proponents' Testimony:**

00:07:14 Lanette Perkins, member, Montana Board of Nursing (MBN)

[EXHIBIT\(bus51a02\)](#)

00:13:14 Judy Bovington, Department of Labor and Industry (DLI)

00:14:31 Jessie Luther, Association of Montana Health Care Providers (MHA)

**Opponents' Testimony:** None

**Informational Testimony:**

00:15:26 Cynthia Gustafson, Montana Board of Nursing (MBN)

00:15:59 Todd Younkin, Department of Labor and Industry (DLI)

**Questions from Committee Members and Responses:**

00:16:17 Sen. Brown  
00:16:55 Ms. Gustafson, MBN  
00:17:37 Sen. Brown  
00:18:11 Rep. Funk  
00:18:42 Sen. Arntzen  
00:19:15 Ms. Luther  
00:19:53 Sen. Connell  
00:19:57 Ms. Gustafson (redirect)  
00:21:20 Ms. Bovington, DLI  
00:21:45 Sen. Connell  
00:22:19 Ms. Luther  
00:23:02 Sen. Buttrey  
00:23:24 Ms. Luther  
00:23:36 Sen. Buttrey  
00:24:02 Ms. Bovington  
00:25:58 Sen. Stewart-Peregoy  
00:26:30 Ms. Perkins, MBN  
00:27:00 Sen. Facey  
00:27:03 Ms. Perkins  
00:27:19 Sen. Arntzen  
00:28:45 Ms. Gustafson

**Closing by Sponsor:**

00:28:51 Rep. Funk

00:30:24 Chairman Buttrey  
00:31:35 Rep. Funk  
00:31:40 Chairman Buttrey

**HEARING ON HB 118**

**Opening Statement by Sponsor:**

00:32:21 Rep. Bryce Bennett (D), HD 91, opened the hearing on HB 118. Allow for electronic delivery of insurance policies.

**Proponents' Testimony:**

00:35:44 Jesse Laslovich, Office of Commissioner of Securities and Insurance, Montana State Auditor (CSI)  
00:40:17 Bill Roberts, volunteer advocate, American Association of Retired Persons of Montana (AARP)

**[EXHIBIT\(bus51a03\)](#)**

**Opponents' Testimony:**

00:42:23 Bruce Spencer, Property Casualty Insurers Association of America (PCIAA), Allstate Insurance, America's Health Insurance Plans  
00:47:30 Jacqueline Lenmark, American Insurance Association, American Council of Life Insurers, American Family Life Assurance Company of Columbus (AFLAC)  
00:52:43 Greg Van Horssen, State Farm Insurance Company (SFIC)  
00:53:14 Dwight Easton, Farmers Insurance Group

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:09 Sen. Connell  
00:55:19 Mr. Van Horssen, SFIC  
00:56:36 Chairman Buttrey  
00:56:43 Sen. Connell  
00:57:23 Mr. Van Horssen  
00:57:43 Sen. Vance  
00:58:16 Mr. Laslovich, CSI  
00:59:00 Sen. Facey  
00:59:27 Mr. Laslovich  
01:00:42 Sen. Facey  
01:01:25 Rep. Bennett  
01:01:46 Sen. Arntzen  
01:02:38 Mr. Spencer, PCIAA  
01:03:36 Chairman Buttrey  
01:03:50 Mr. Spencer  
01:04:10 Sen. Vuckovich  
01:06:32 Mr. Spencer  
01:06:38 Sen. Connell

01:08:36 Mr. Laslovich  
01:09:11 Chairman Buttrey  
01:09:29 Mr. Laslovich

**Closing by Sponsor:**

01:09:42 Rep. Bennett  
01:12:16 Chairman Buttrey

**HEARING ON HB 343**

**Opening Statement by Sponsor:**

01:12:42 Rep. Bryce Bennett (D), HD 91, opened the hearing on HB 343. Prohibit request of online passwords as a condition of hiring or employment.

[EXHIBIT\(bus51a04\)](#)

[EXHIBIT\(bus51a05\)](#)

**Proponents' Testimony:**

01:17:41 Glenn Oppel, Montana Chamber of Commerce (MCC)  
01:19:52 Niki Zupanic, American Civil Liberties Union of Montana (ACLU)  
01:20:29 Jacqueline Lenmark, American Insurance Association, American Council of Life Insurers, American Family Life Assurance Company of Columbus (AFLAC)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:21:52 Sen. Brown  
01:22:33 Mr. Oppel, MCC  
01:22:39 Chairman Buttrey

**Closing by Sponsor:**

01:22:51 Rep. Bennett  
01:23:50 Chairman Buttrey

**HEARING ON HB 350**

**Opening Statement by Sponsor:**

01:24:31 Rep. Ray Shaw (R), HD 71, opened the hearing on HB 350. Revise liquor laws pertaining to the number of sales representatives.

**Proponents' Testimony:**

01:26:19 Jennifer Hensley, Montana Distillers Guild (MDG)

[EXHIBIT\(bus51a06\)](#)

01:30:51 Robin Blazer, owner, founder Willie's Distillery, Ennis

[EXHIBIT\(bus51a07\)](#)

01:34:40 J. P. Crowley, owner, Triple Divide Spirits, Helena

01:36:03 John Iverson, Montana Tavern Association

01:36:31 Neil Peterson, Gaming Industry Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:37:08 Chairman Buttrey

01:38:26 Rep. Shaw (redirect)

01:38:38 Ms. Hensley, MDG

01:40:24 Sen. Brown

01:40:51 Rep. Shaw

01:41:06 Chairman Buttrey (redirect)

01:41:31 Ms. Hensley

01:43:47 Sen. Stewart-Peregoy

01:46:20 Ms. Hensley

01:46:25 Sen. Facey

01:49:12 Ms. Hensley

01:49:18 Sen. Arntzen

01:51:27 Steve Swanson, Department of Revenue

**Closing by Sponsor:**

01:51:44 Rep. Shaw

01:52:49 Chairman Buttrey

01:53:17 Recess

02:12:06 Reconvene

Sen. Connell did not return to the hearing.

**EXECUTIVE ACTION ON HB 208**

02:12:09 **Motion:** Sen. Arntzen moved that **HB 208 BE CONCURRED IN.**

02:12:30 Chairman Buttrey

[EXHIBIT\(bus51a08\)](#)

02:12:45 **Motion:** Sen. Arntzen moved that **HB 208 BE AMENDED.**

**Discussion:**

02:12:53 Sen. Facey

02:13:13 **Vote:** Motion carried 8-0 by voice vote of those present and voting. Sen. Connell and Sen. Smith were excused.

02:13:33 **Motion:** Sen. Arntzen moved that **HB 208 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:13:46 Sen. Brown

02:14:07 Jameson Walker, Legislative Services Division (LSD)

02:15:00 Sen. Stewart-Peregoy

02:16:15 **Vote:** Motion carried 8-0 by voice vote of those present and voting. Sen. Connell and Sen. Smith were excused. Sen. Facey will carry the bill.

**EXECUTIVE ACTION ON HB 358**

02:16:36 **Motion:** Sen. Arntzen moved that **HB 358 BE CONCURRED IN.**

02:16:56 Sen. Facey

[EXHIBIT](#)(bus51a09)

02:17:36 **Motion:** Sen. Arntzen moved that **HB 358 BE AMENDED.**

**Discussion:**

02:17:43 Sen. Facey

02:18:58 Mr. Walker, LSD

02:19:50 Sen. Facey

02:20:07 Sen. Stewart-Peregoy

02:20:58 Sen. Arntzen

02:21:09 Chairman Buttrey

02:21:17 **Vote:** Motion carried 8-0 by voice vote of those present and voting. Sen. Connell and Sen. Smith were excused.

02:21:30 **Motion:** Sen. Arntzen moved that **HB 358 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:21:48 Sen. Arntzen

02:21:54 Mr. Walker

02:22:28 Sen. Facey

02:23:02 Sen. Vuckovich

02:23:21 Mr. Walker

02:23:38 **Vote:** Motion carried 8-0 by voice vote of those present and voting. Sen. Connell and Sen. Smith were excused. Sen. Cohenour will carry the bill.

**EXECUTIVE ACTION ON HB 396**

02:23:54 **Motion:** Sen. Arntzen moved that **HB 396 BE CONCURRED IN.**

**Discussion:**

02:24:37 Sen. Facey  
02:24:42 Chairman Buttrey  
02:24:45 Sen. Arntzen

02:25:09 **Vote:** Motion carried 8-0 by voice vote of those present and voting. Sen. Connell and Sen. Smith were excused. Sen. Buttrey will carry the bill.

**EXECUTIVE ACTION ON HB 449**

02:25:22 **Motion:** Sen. Arntzen moved that **HB 449 BE CONCURRED IN.**

**Discussion:**

02:25:35 Chairman Buttrey  
02:25:53 Sen. Vance  
02:26:39 Sen. Arntzen  
02:27:22 Sen. Facey  
02:28:21 Chairman Buttrey  
02:28:27 Sen. Arntzen  
02:29:04 Sen. Stewart-Peregoy  
02:31:14 Sen. Vance  
02:31:59 Chairman Buttrey  
02:32:31 Sen. Whitford

02:33:53 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Vuckovich and Sen. Whitford voting no. Sen. Connell and Sen. Smith voted by proxy. Sen. Vance will carry the bill.

**Committee Business:**

02:34:35 Chairman Buttrey  
02:35:22 Sen Facey

**[EXHIBIT\(bus51a10\)](#)**

02:36:18 Chairman Buttrey  
**[EXHIBIT\(bus51a11\)](#)**

**ADJOURNMENT**

Adjournment: 10:39 AM

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT**([bus51aad.pdf](#))